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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Boyle, et al. Attorney Docket: 60.1336/1551
Serial No.: 09/881,333 Art Unit: 3627
Date Filed: 6/14/2001 Examiner: Hewitt, James M.
Invention: Low-Loss Inductive Couplers for use in Wired Pipe Strings

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper, along with any other papers referred to as being attached or enclosed, is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan L. Filleul

November 6, 2003

Susan Filleul

RESPONSE TO RESTRICTION REQUIREMENT - CORRECTED

Dear Sir:

In the Office communication issued 9/16/2002, the Examiner requires the applicant to elect a single disclosed species for prosecution under 35 U.S.C. 121, as follows.

The Examiner states (in part):

This application contains claims directed to the following patentably distinct species of the claimed invention:

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Species I: figures 1-8;
Species II: figures 9-13;
Species III: figure 14;
Species IV: figure 15;
Species V: figures 16-18;
Species VI: as described on page 16 of the specification.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.
Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Applicants Election and Proposed Alternative Species

Applicant elects Species 1: figures 1-8, with traverse. The claims that read on “Species 1: figures 1-8”, are claims 1-10.

Applicant notes that the Office communication fails to provide “particular reasons relied on by the examiner for holding that the inventions as claimed are independent or distinct” (required by MPEP 816). Thus the Examiner’s restriction requirement is incomplete. However, the applicant agrees that the application may be considered to have two species as follows:

Species I: figures 1-8, corresponding to claims 1-10; and

Species II: figures 9-18; and the “fifth embodiment” from page 16 of the specification, corresponding to claims 11-32.

Applicant notes that claims 1-10 are all directed to flux-loop embodiments, and claims 11-32 are all directed to current-loop embodiments.

Accordingly, applicant accepts restriction of the present application to the flux-loop embodiments (Species I), but does not accept the division of the current-loop embodiments into the Examiner's Species II, III, IV, V, and VI.

For failure to provide the "particular reasons relied on by the Examiner" required by MPEP 816, applicant respectfully requests that the division of current-loop embodiments into Species II, III, IV, V, and VI be withdrawn.

SUMMARY

It is believed that the application is now in condition for prosecution directed to claims 1-10. Consideration of the application and issuance of a notice of allowance is respectfully requested.

It is believed that no extension of time is required. However, this conditional petition for extension of time is being made to provide for the possibility that the need for a petition for an extension of time has been overlooked. If additional fees are required for the timely consideration of this application, please charge deposit account no. 12-0914.

Respectfully submitted,



John L. Lee
Registration No. 33,942

MAILING ADDRESS

Lee Patent Services
48 Summer Street
Stoneham, MA 02180-1925
781-438-8112